

UNITED STATES DISTRICT COURT

District of

Massachusetts at Worcester

U.S. DISTRICT COURT
DISTRICT OF MASS.

Francis Harvey & Sons, Inc.
V.

SUMMONS IN A CIVIL ACTION

Commissioner of the Internal
Revenue Service

CASE NUMBER:

04-40228FDS

TO: (Name and address of Defendant)

Commissioner of the Internal Revenue Service
Appeals Office
10 Causeway Street
Room 493
Boston, MA 02222

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Steven M. LaFortune
LaFortune & LaFortune
89 Main Street
Andover, MA 01810

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(By) DEPUTY CLERK

Sherry Jones

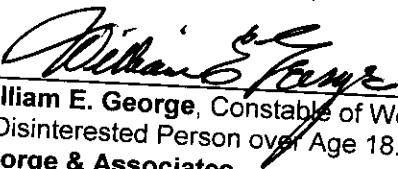
DATE

11-3-04

I hereby certify and return that today, November 18, 2004, at 10:45 AM, I served a true and attested copy of the within Federal Summons and Complaint upon the within named U.S. Attorney, by giving in hand to Marianne Bellemere, Legal Assistant and Agent in Charge to accept service. Said service was effected at: U.S. Attorney, Harold D. Donohue, Federal Building and Courthouse, 595 Main Street Suite 206, Worcester, MA 01608.

Signed under the pains and penalties of perjury today, November 18, 2004.

Docket/Case No: 04-40228FDS


William E. George, Constable of Worcester
& Disinterested Person over Age 18. Total Fees: \$40.00
George & Associates
340 Main Street #608
Worcester, MA, 01608-1665
(508) 755-1129, (508) 755-4447 Fax

**UNITED STATES OF AMERICA
Federal Court**

District of Massachusetts
at Worcester

Docket # 04-40228

Francis Harvey & Sons, Inc.

Plaintiff

v.

Commissioner of the Internal Revenue Service

Defendant

Certificate Of Service For Complaint and Summons

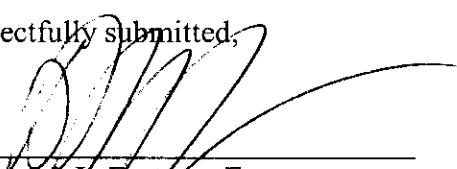
I, Steven M.LaFortune, Esq., hereby certify as follows:

1. I am counsel for the Plaintiff, Francis Harvey & Sons, Inc.
2. I have effectuated service in accordance with Rule 4 of the Federal Rules of Civil Procedure as follows:
 - (a) According to the Constable's Return of Service (see attached) , on November 18, 2004, a copy of the Complaint and Summons was served to the Civil Process Clerk at the Office of the United States Attorney, Harold D. Donohue Federal Building and Courthouse, 595 Main Street, Room 206, Worcester, MA 01608;
 - (b) On or about November 16, 2004, via letter, a copy of the Complaint and Summons was sent certified mail, return receipt requested, to the Attorney General of the United States, Department of Justice, 950 Pennsylvania Avenue, NW, Room 4545, Washington, DC 20530. According to the enclosed green certified mail receipt card, the Attorney General received the letter enclosing the summons and complaint on November 18, 2004,;
 - (c) On or about November 17, 2004, via letter, a copy of the Complaint and Summons was sent certified mail, return receipt requested to the Commissioner of the Internal Revenue Service, Appeals Office, 10 Causeway Street, Room 493, Boston, MA 02222. According to the

enclosed green certified mail receipt, the IRS received the letter enclosing the summons and complaint on November 19, 2004; and

(d) On or about November 17, 2004, via letter, a copy of the Complaint and Summons was sent certified mail, return receipt requested, to the Commissioner of the Internal Revenue Service, 1111 Washington Avenue, NW, Washington, DC 20224. According to the green certified mail receipt, the IRS received the letter enclosing the summons and complaint on November 24, 2004.

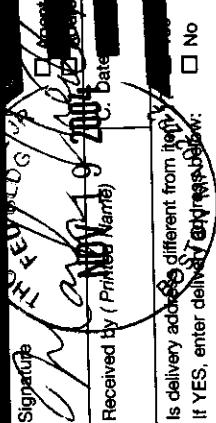
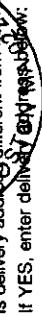
Respectfully submitted,



Steven M. LaFortune, Esq.
LaFortune & LaFortune
89 Main Street
Andover, MA 01810
978-475-6177

Counsel for plaintiff
John Harvey

Dated: December 23, 2004

SENDER COMPLETION SECTION	
<p>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>Print your name and address on the reverse so that we can return the card to you.</p> <p>Attach this card to the back of the mailpiece, or on the front if space permits.</p>	
<p>1. Article Addressed to:</p> <p>Commissioners of the Internal Revenue Service Appeal Office 10 Causeway St. Rm. 493 Boston, MA 02111</p>	
<p>A. Signature </p> <p>B. Received by (Printed Name) </p> <p>C. Date 2001</p>	
<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>If YES, enter delivery address below:</p> <p></p>	
<p>2. Article Number (Transfer from service label)</p> <p>7002 2410 0006 0176 9027</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, August 2001 Domestic Return Receipt 10295-02-M-154</p>	